

**HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION**

Dated Nainital the 8th December, 2006
First Bail Application No. 1093 of 2006

Order on the bail application of the accused.

CRIMINAL SIDE

Kailash Singh,
S/o Sri Dilip Singh
R/o Goal Danda,
Reeta Sahib,
District-Champawat.

..... Applicant in Jail.

Versus

State of Uttaranchal

..... Opposite Party

In Case Crime No. 4872 of 2006
U/s 18/20 of N.D.P.S. Act,
P.S. Haldwani
District - Nainital.

Hon'ble Rajesh Tandon, J.

The applicant has applied for bail in Case Crime No. 4872 of 2006 U/s 18/20 of N.D.P.S. Act, P.S. Haldwani, District - Nainital.

Heard Sri A.K. Joshi, counsel for the applicant and A.G.A. for the State.

A perusal of the F.I.R. shows that approximately one kilogram opium has been recovered and in the recovery memo no exact quantity appears to have been measured.

Counsel for the applicant-accused has submitted that more than one kilogram is a commercial quantity and therefore, since no exact measurement has been taken, therefore, it will be presumed that opium was less than one kilogram.

Considering the facts and circumstances of the case, it is a fit case for bail. Let the applicant be released on bail on

executing personal bond and furnishing two sureties, each of the like amount to the satisfaction of the Magistrate concerned.

(Rajesh Tandon, J.)

Dated 08.12.2006
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